

# Current Bill Status – Surviving Bills

April 10, 2001

**HB1001**  
**ATOD/TS**  
**State Budget**  
**B Bauer, W Cochran**  
**S: R Meeks, V Simpson**  
**Ways and Means**  
**S: Finance**

Appropriates state money for the biennium beginning July 1, 2001 and ending June 30, 2002. Includes provisions regarding use of the tobacco settlement funds. *Amendments made in committee and passed out, 24-1. Amended at 2<sup>nd</sup> reading and passed 3<sup>rd</sup> reading 81-18. Senate sponsors: Sens. R Meeks and V Simpson. I have read half way through this bill and found that provisions from HB1842 and other bills have been added to HB1001. Several of these relate to the tobacco settlement account. Bill referred to Senate Finance Committee. Amended in committee, it was passed out 10-5. It was amended at 2<sup>nd</sup> reading. Provisions for tobacco control include \$30 million for two years in the House version and \$40 million for two years in the Senate version. Both versions provide \$20 million over two years for substance abuse treatment. This bill passed the Senate, 32-17. It has been returned to the House with amendments and will very likely go to conference committee.*

**HB1007**  
**TS**  
**Speed Limits.**  
**B Hasler, V Becker, T Goodin**  
**S: S Landske**  
**Roads and Transportation**  
**S: Transportation and Interstate Cooperation**

Speed limits. Makes it a Class B infraction (subject to a maximum civil judgment of \$1,000) instead of a Class C infraction (subject to a maximum civil judgment of \$500) for a person to violate a speed limit that is imposed in the immediate vicinity of a work site when workers are present. Provides that with the approval of the department of transportation, a person may drive a vehicle a maximum of sixty miles per hour on a highway, and a maximum of seventy miles per hour on a highway on the national system of interstate and defense highways, with certain exceptions. *Introduced this legislation proposed increased fines for speeding through work sites; however, a 2<sup>nd</sup> reading Rep Wolkins offered an amendment, which allows the speed limits to be increased "with the approval of the department of transportation." The amended bill passed the House, 93-2. Senate sponsor is Sen. S Landske. Assigned to Senate Transportation and Interstate Cooperation Committee. The provision for increasing the speed limit was removed in committee. The amended bill passed out, 7-0. This bill passed the Senate, 48-0. It has been returned to the House with amendments.*

**HB1207**  
**ATOD**  
**Mandatory testing of prisoners.**  
**Wm Crawford**  
**S: P Miller, B Breaux**  
**Courts and Criminal Code- Public Health**  
**S: Judiciary**

Mandatory hepatitis C and HIV testing of prisoners. Provisions include requirements for the department of correction to file an annual report regarding certain statistical information regarding hepatitis C and HIV tests with the executive director of the legislative services agency and that consent of the individual tested is not required. (The introduced version of this bill was prepared by the corrections matters evaluation committee.) *Reassigned to the Public Health Committee. Heard in committee and passed out 11-0. This bill passed out of the House, 96-0. Senate sponsors are Senators Miller and Breaux. It is referred to the Senate Judiciary Committee. A committee hearing was scheduled for April 4<sup>th</sup> and was passed out committee, 8-0.*

**HB1381**  
**ATOD**  
**Mental health insurance coverage.**  
**S Crosby, G Goeglein**  
**S: S Johnson, M Blade, C Lawson, E Rogers**  
**Insurance, Corporations and Small Business**  
**S: Health & Provider Services**

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Includes services for substance abuse within the definition of "coverage of services for mental illness", for purposes of the law prohibiting the application of treatment limitations or financial requirements to coverage of services for mental illness if similar limitations or requirements do not apply to the coverage of services for other medical or surgical conditions. (The introduced version of this bill was prepared by the Indiana commission on mental health.) *Commission recommendation. Bill amended in committee to apply only to state employee insurance coverage and passed out, 10-3. Referred to Ways & Means Committee. Rep Goegelein added as co-author. Passed out of Ways & Means, 22-0, February 20<sup>th</sup>. Passed 3<sup>rd</sup> Reading, 90-3. Senate sponsors: Sens. S Johnson, M Blade, C Lawson, and E Rogers. Assigned to the Senate Health and Provider Services Committee. The testimony for this bill was presented to the committee on Wednesday, April 4<sup>th</sup>; however, the chair did not have a vote on it, which kills the bill.*

### **HB1578      *State tax administration and motor vehicles.***

**TS**

**W. Cochran, J Denbo**

**S: V Simpson, C Sipes**

**Ways and Means**

**S: Finance**

Contains several provisions including that a driver who commits certain serious traffic violations related to railroad crossings while operating a commercial motor vehicle is disqualified from driving such a vehicle for specified periods. *Amendments made in committee and passed 22-1. Amended at 2<sup>nd</sup> reading and passed. This bill passed out of the House, 97-0. Senate sponsors are Senators V Simpson and C Sipes. This bill has been referred to the Senate Finance Committee. This bill is scheduled for a hearing on March 29<sup>th</sup>. This bill was amended and passed committee, 15-0. The amendments were provisions regarding tax credits for historic preservation and rehabilitation.*

### **HB1618      *Blood and breath alcohol concentrations.***

**ATOD**

**P Welch, C Brown, T Brown, T Goodin, Wm Ruppel, D Kruse, P Turner**

**S: T Wyss, S Landske**

**Public Policy, Ethics and Veterans Affairs**

**S: Public Policy**

Reduces the 0.10% to 0.08% the percentage of alcohol concentration equivalent in a person's blood or breath that is necessary to constitute prima facie evidence of intoxication in a prosecution for operating a motor vehicle or watercraft while intoxicated. Reduces the range of percentages of alcohol concentration equivalent in a person's blood or breath that is necessary to constitute relevant evidence of intoxication in a prosecution for operating a motor vehicle or watercraft while intoxicated from at least 0.05% but less than 0.10% to at least 0.05% but less than 0.08%. Makes conforming amendments. *Commission/Council recommendation. Several co-authors added. Passed the House, 89-6. Sen. Wyss is the Senate Sponsor for this bill and it has been assigned to the Senate Public Policy Committee. This bill was heard in committee and two amendments were made. One amendment removed the deferral provisions for .08 and .09 per se BACs. The second amendment clarified Indiana's DUI standard penalty so that per se offense and no proof of endangerment garners a Class C misdemeanor while demonstrating dangerous driving becomes a Class A. The bill passed out of committee, 8-3. The bill is ready for 2<sup>nd</sup> reading. Sen. Sue Landske has been assigned as a Senate Co-sponsor.*

### **HB1781      *Alcohol and controlled substances.***

**ATOD**

**E Harris, R Kuzman, G Porter, T Goodin**

**S: S Landske, R Antich, E Rogers**

**Courts and Criminal Code**

**S: Judiciary**

Specifies that it is a Class B misdemeanor for a person to be: (1) in a public place or a place of public resort; or (2) in or upon public transportation or in a depot, station, or airport; in a state of intoxication caused by the person's use of alcohol and or a controlled substance. Requires a person to pay the \$200 alcohol and drug countermeasures fee if: (1) the person is found to have committed the offense of operating a tractor-trailer combination or other vehicle recklessly and the person's offense involved the use of alcohol or a controlled substance; or (2) the person is found to have committed the offense of public intoxication or

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intoxication upon a common carrier and the person's offense involved the operation of a vehicle. Removes a provision that requires a person's driving privileges to be suspended by a court or the bureau of motor vehicles before the person is required to pay the alcohol and drug countermeasures fee. *Amended to cover "crimes, infractions, and delinquent acts" in committee and passed out of committee, 11-0. Corrective amendments were made and accepted at 2<sup>nd</sup> reading. Passed out of the House, 96-1. The Senate Sponsors are Sens. Landske, Antich, and Rogers. The bill has been assigned to Senate Judiciary Committee. Rep. Goodin was added as a House co-author. This bill was heard in committee. Questions were raised and it was tabled to consider possible amendments. This bill was heard in committee and amended. It was passed out, 6-0.*

**HB1813**

**ATOD**

### **Mental health**

**S Crosby, C Brown, G Goeglein**

**S: S Johnson, M Blade, V Simpson**

### **Public Health**

**S: Health & Provider Services**

Changes the name of the division of mental health to the division of mental health and addiction. Amends the definition of "managed care provider." *Rescheduled hearing in committee on February 14<sup>th</sup>. Co-authors added: Reps C. Brown and G. Goeglein. Hearing rescheduled again for February 20<sup>th</sup>. Amended in committee and passed, 11-0. Added provisions require DMH to establish standards for continuum of care for providers and prohibit DMH to enter a contract with providers not currently under contract. A minor amendment accepted at 2<sup>nd</sup> Reading. The bill passed out of the House, 93-0. The Senate sponsors are Senators M Blade, V Simpson, and S Johnson. This bill was assigned to the Senate Health and Provider Services Committee. This bill was heard in committee, amendments made, and passed out, 9-0.*

**HB1892**

**ATOD**

### **Methamphetamines**

**M Dvorak, B Hasler, J Weinzapfel, D Yount**

**S: R Bray, Wm Alexa, J M Clark**

### **Courts and Criminal Code**

**S: Judiciary**

Makes the criminal penalties for offenses relating to methamphetamine equivalent to the penalties for offenses relating to cocaine and narcotic drug. Makes conforming changes to other statutes relating to cocaine and narcotic drug offenses to incorporate offenses relating to methamphetamine. Permits a law enforcement agency to dispose of chemical waste used in the production of illegal drugs. Imposes a class D felony for the dumping of chemical drug waste. Creates penalties for possessing anhydrous ammonia. Creates a defense for a person charged with a felony drug offense that is elevated because the person was within 1,000 feet of school property, public park, family housing complex, or youth program center. *ISP/ Commission recommendation. This bill will become the methamphetamine omnibus bill for the Governor's office. Testimony was first heard in committee on Jan 31. The chair appointed Rep. S Mellinger to convene a subcommittee to compile an inclusive proposal for a hearing scheduled on February 14<sup>th</sup>. The Committee accepted the report and amended bill, passing it out 12-0. The bill passed out of the House, 94-0. The Senate sponsors are: Sens. R Bray and Wm Alexa. This bill has been assigned to Senate Judiciary Committee and is scheduled for a hearing on Wednesday, March 14<sup>th</sup> at 9 am in Statehouse Room 130. The bill was heard in committee and passed out. The bill was amended at 2<sup>nd</sup> reading; the amendment reduced transporting using etc.. anhydrous ammonia for the manufacture of methamphetamines to a Class A misdemeanor from a Class D felony. This bill was passed out of the Senate, 49-0. It has been referred to the House for concurrence from the House author on the amendments added in the Senate. The House concurred with the Senate changes, 92-0.*

**SB05**

**ATOD**

### **Open alcoholic beverage containers.**

**Tom Wyss**

**H: P Welch, S Scholer**

### **Public Policy**

**H: Public Policy, Ethics and Veterans Affairs**

Makes it a Class B infraction for the operator of a motor vehicle, while the motor vehicle is in operation or while the motor vehicle is located on the right-of-way of a public highway, to knowingly allow an alcoholic

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beverage container that has been opened, that has a broken seal, or from which some of the contents have been removed to be in the passenger compartment of the motor vehicle. Provides certain exceptions.

*Council/Commission recommendation. Hearing scheduled for Tuesday, Feb 28<sup>th</sup> at 10 am in Room 130 of the Statehouse.*

*This bill was amended by removing the word “knowingly.” The amended bill passed out of committee, 5-2. This bill passed out of the Senate, 29-21. The House sponsors are Reps P Welch and S Scholer. The bill has been assigned to the House Public Policy, Ethics and Veterans Affairs Committee. The bill is scheduled for a second hearing before the Committee on Monday, April 9<sup>th</sup>, 10:30 am in Statehouse Room 156C.*

**SB08**

***Blood and breath alcohol concentrations.***

**TS**

**T Wyss, S Landske**

**H: P Welch, C Brown, T Brown, T Goodin**

**Public Policy**

**H: Public Policy, Ethics and Veterans Affairs**

Reduces from 0.10% to 0.08% the percentage of alcohol concentration equivalent in a person's blood or breath that is necessary to constitute prima facie evidence of intoxication in a prosecution for operating a motor vehicle or watercraft while intoxicated. Reduces the range of the percentage of alcohol concentration equivalent in a person's blood or breath that is necessary to constitute relevant evidence of intoxication in a prosecution for operating a motor vehicle or watercraft while intoxicated (from at least 0.05% but less than 0.10% to at least 0.05% but less than 0.08%). Makes conforming amendments. *Commission/Council recommendation. At second reading, four amendments were proposed and all were defeated. The bill passed out of the Senate, 42-8. House sponsor: Rep. P Welch. House co-sponsors are Reps. C Brown, T Brown and T Goodin. The bill has been assigned to the Public Policy, Ethics, and Veterans Affairs Committee in the House. This bill was heard in committee on March 28<sup>th</sup>. The chair proposed two amendments: change effective date to 2003 and an allowance for beer distributors to hold two permits in adjacent counties. The bill passed the committee, 12-1. It is now ready for a 2<sup>nd</sup> reading.*

**SB096**

***Alcoholic beverage retail permits.***

**ATOD**

**Ron Alting**

**H: R Kuzman, R Alderman**

**Governmental and Regulatory Affairs**

**H: Public Policy, Ethics and Veterans Affairs**

Provides that in the case of a municipal annexation, the alcoholic beverage commission may only reclassify a retailer's permit in the former unincorporated territory as a permit inside the municipality if the permittee has actually conducted a retail business at the site for two consecutive years. *Bill scheduled for a hearing on February 14<sup>th</sup>. Passed out of Senate, 48-0. House sponsor is Rep. Kuzman. House co-sponsors: Rep. R Alderman. This bill's assignment is the House Public Policy, Ethics and Veterans Affairs Committee. This bill has a hearing on Monday, April 9<sup>th</sup> at 10:30 am in State House Room 156C.*

**SB270**

***Biomedical technology and research trust fund.***

**ATOD**

**L Borst, V Simpson**

**H: C Brown**

**Finance**

**H: Public Health**

Deletes an incorrect statement of the purpose of the fund. *Passed out of the Senate, 49-0. Sen. Simpson added as co-author. House sponsors: Rep. C Brown. This bill has been assigned to the House Public Health Committee. This bill is scheduled for a hearing on Tuesday, March 20 at 10 am in the House Chambers. The bill was passed out of committee, 13-0. It has passed 2<sup>nd</sup> reading. This bill passed the House, 92-0. It was returned to the Senate without amendments.*

**SB280**

***Methadone clinic moratorium.***

**ATOD**

**P Miller, C Sipes**

**H: C Brown, D Frizzell**

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## Health and Provider Services

### H: Public Health

Extends the state imposed moratorium on methadone clinics until July 1, 2003. Eliminates the reporting requirements imposed on the division of mental health regarding methadone providers. *Heard in committee on January 24<sup>th</sup>, passed with amendment 11-0, and passed the Senate, 49-0, on Jan 30<sup>th</sup>. The House sponsors: Rep C Brown and D Frizzell. This bill was assigned to the House Public Health Committee. It is scheduled for a hearing on Tuesday, March 20 at 10 am in the House Chambers. This bill was passed out of committee. It passed the House, 88-0. It was returned to the House without amendments.*

**SB466**

**TS/ATOD**

### ***Implied Consent***

**W Alexa, T Wyss**

**H: M Dvorak, D Young**

### **Public Policy**

### **H: Courts and Criminal Code**

Requires a law enforcement officer to offer a chemical test to a person who the officer has reason to believe operated a vehicle that was involved in a fatal accident or an accident involving serious bodily injury to determine if alcohol, a controlled substance, or a drug is present in the person's body. *Council recommendation. Heard in committee on February 13<sup>th</sup> and passed out, 10-0. Bill passed 2<sup>nd</sup> reading. Passed out of the Senate, 40-9. House sponsors: Reps. M Dvorak and D Young. The House Committee assignment is Courts and Criminal Code. SB466 was heard in committee on Tuesday, March 21<sup>st</sup>. Because of their concerns that uninjured drivers not be separated from injured family members/passengers, the bill was referred to a subcommittee to resolve this issue. The subcommittee members are Reps S Mellinger, Rep. Ulmer, and Rep R Foley. This bill was amended in committee to allow a "portable breath test" suffice when the results indicate no presence of alcohol. The bill passed committee.*

**SB506**

**TS/ATOD**

### ***Court ordered drug and alcohol programs***

**T Wyss, W Alexa**

**H: M Dvorak, G Goeglein**

### **Public Policy**

### **H: Courts and Criminal Code**

Court ordered drug and alcohol programs. Increases the fees that may be charged for participation in court ordered alcohol and drug programs. Permits the board of directors of the judicial conference to adopt rules governing the certification, operations, and employee qualifications for court alcohol and drug services programs. *Indiana judicial center recommendation endorsed by the Inter Agency Council on Drugs. This bill passed out of committee, 8-0. The bill passed out of the Senate, 48-1. The House sponsors are Reps M Dvorak and G Goeglein. This bill has been assigned to the House Courts and Criminal Code Committee. This bill was heard and amended in committee. It passed 11-1.*